

Wetlands Bureau Decision Report

Decisions Taken
02/16/2009 to 02/22/2009

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2006-02795 FIVE GATES REALTY LLC, MEREDITH TAMPOSI
TEMPLE Unnamed Wetland

Requested Action:

Request permit amendment to correct the typo in the square feet at wetland impact E from 7970 to 4084.

APPROVE AMENDMENT:

Dredge and fill a total of 15,657 square feet including 809 linear feet of stream for access in the subdivision of 210.1 acres into 35 single family residential lots and 2 open space lots containing 110 acres. Mitigate for the proposed impacts through a conservation easement of 65.2 acres. Impacts are further described as follows: Impact A 2873 sq ft for the installation of a 12 ft wide x 5 ft high x 40 ft long bridge in an unnamed perennial stream and a 18-in x 40 ft CMP in an intermittent stream; Impact B is 3120 sq ft in an intermittent stream and palustrine forested wetland for the installation of a 6 ft x 3 ft x 50 ft box culvert; Impact C 2270 sq ft in an intermittent stream and palustrine forested wetland for the installation of a 5 ft x 2.75 ft concrete box; Impact D 800 sq ft in an intermittent stream for the installation of an 18-in x 50 ft HDPE; Impact E 4084 sq ft in an unnamed perennial stream and intermittent stream and palustrine forested wetland for the installation of a 6 ft x 3 ft x 50 ft concrete box and a 64-in x 43-in x 50 ft CMP arch culvert; Impact F 1100 sq ft in an intermittent stream and palustrine forested wetland for the installation of a 5 ft x 2.75 ft concrete box; Impact G 650 sq ft in an intermittent stream for the installation of a 5 ft x 2.75 ft concrete box; Impact H fill 750 square feet to reconstruct the existing pond outlet.

With Conditions:

1. All work shall be in accordance with plans by Sanford Surveying and Engineering sheets 11 and 13 dated September 16, 2005, revised through June 4, 2008 as received by the Department on June 12, 2008, plan sheets 8, 12, and 15 dated September 16, 2005, revised through April 29, 2008 as received by the Department on April 29, 2008 and Subdivision Plans by Sanford Surveying and Engineering dated September 16, 2005, and revised through June 4, 2008, as received by the Department on June 12, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Work within perennial streams shall be done during low flow.
11. Work within intermittent streams shall be done under no flow conditions.
12. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
13. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
14. No equipment shall enter into surface waters.
15. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
17. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
18. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
19. Temporary cofferdams shall be entirely removed immediately following construction.
20. The swale on lot 1-13-13 shall be constructed to replicate the intermittent stream channel destroyed by the project.
21. The construction of the swale on lot 1-13-13 shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
22. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the construction of the swale is constructed in accordance with the plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
23. Proper headwalls shall be constructed within seven days of culvert installation.
24. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
25. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
26. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
27. Silt fencing must be removed once the area is stabilized.
28. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
29. A post-construction report documenting the status of the constructed stream jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
30. This permit is contingent upon the execution of a conservation easement on 65.2 acres as depicted on plans by Sanford Engineering and Surveying and Engineering dated September 16, 2005, and revised through April 22, 2008, as received April 29, 2008.
31. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
32. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
33. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the conservation area prior to construction.
34. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
35. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
36. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
37. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

Reaffirm findings 1-13 of the original approval:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i); projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The impacts are for access across wetlands to access large buildable upland areas.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided

alternate plans that would be more impacting than the current proposal.

5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

6. The applicant has provided a culvert that is open bottom and 1.2 times the bank full width on the large perennial stream.

7. The applicant has provided large concrete box culverts on many of the streams to minimize impacts.

8. The applicant has provided oversized culverts to eliminate the need for rip rap aprons minimizing impacts.

9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

10. DES Staff conducted a field inspection of the proposed project on December 14, 2006. Field inspection determined many of the drainage areas are indeed streams and two of these areas appear to flow perennially.

11. The applicant has provided 65.2 acres of conservation easement area with several streams flowing through it as mitigation for the impacts proposed by this subdivision.

12. The applicant has provided a letter of agreement from the Department of Resources and Economic Development stating their interest in holding this easement area.

13. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resources, as identified under RSA 482-A:1.

and makes the following additional finding.

14. There are no changes associated with this amendment, it was simply to correct a typo on the plans.

2008-01333 WHITEFIELD, TOWN OF
WHITEFIELD Unnamed Wetland

Requested Action:

Dredge and fill 80,770 sq. ft. of palustrine wetlands to relocate the drainage (470 ft.), construct a partial parallel taxiway "A" and a taxiway "C" along with reconstruction of the aircraft ramp.

Mitigate by funding the purchase of 18.5 acres to be transferred to the US Fish and Wildlife Service and provide a payment into the Aquatic Resource Mitigation (ARM) Fund.

Conservation Commission/Staff Comments:

Cons. Comm. no comments

Inspection Date: 09/05/2008 by Gino E Infascelli

APPROVE PERMIT:

Dredge and fill 80,770 sq. ft. of palustrine wetlands to relocate the drainage (470 ft.), construct a partial parallel taxiway "A" and a taxiway "C" along with reconstruction of the aircraft ramp.

Mitigate by funding the purchase of 18.5 acres to be transferred to the US Fish and Wildlife Service and provide a payment into the Aquatic Resource Mitigation (ARM) Fund.

With Conditions:

1. All work shall be in accordance with plans by Fay, Spofford & Thorndike, LLC dated March 7, 2008, REVISED 11/29/2008 as received by the Department on Dec. 31, 2008 and sheet C-4 signed and received Feb. 11, 2009.

2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.

3. This permit is contingent on approval by the DES Alteration of Terrain Program.

4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

5. Construction equipment shall not be located within surface waters.

6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
13. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
14. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

Wetland preservation:

15. This permit is contingent upon the permanent protection of 18.5 acres of land as depicted in the Mitigation Area Assessment, Mt. Washington Regional Airport, Whitefield report by Lobdell Assoc. dated November, 2008 as received by the DES on Nov. 24, 2008.
16. The conservation easement or conservation restrictions that may be placed on the preservation area shall be written to run with the land, and both existing and future property owners shall be subject to the restrictions provided.
17. Draft conservation language shall be submitted to the Wetlands Bureau and local Conservation Commission for review and approval.
18. The plan noting the conservation area with a copy of the final deed language shall be recorded with the Registry of Deeds Office for each appropriate lot and a copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to construction.
19. A copy of the deed shall be submitted to the DES Wetlands Bureau following purchase of the property. The Wetlands Bureau shall be notified of subsequent transfers of the property to another agency that has been retained for management purposes.
20. There shall be no removal of the existing vegetative undergrowth within the preservation area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
21. Activities in contravention of the conservation restrictions shall be construed as a violation of RSA 482-A and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).
22. As agreed at the monthly Natural Resource Agency meeting held on Oct. 15, 2008, that after the purchase of the mitigation parcel any remaining funds granted to mitigate wetlands impacts are to be placed in the Aquatic Resource Compensatory Mitigation Fund as stated on the Mitigation Work Plan received by the DES on November 24, 2008.
23. The ARM Fund payment shall be deposited in the DES account prior to construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects involving alteration of non-tidal wetlands in excess of 20,000 sq. ft.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. On March 7, 2006, a pre-application meeting was held at the NH Department of Environmental Services (DES) regarding the partial parallel taxiway project expected to impact 19,000 to 40,000 sq. ft. of wetlands.
6. This project was discussed on June 21, 2006 and again on February 20, 2008 at the monthly Natural Resource Agency Meeting held at the NH Dept. of Transportation (DOT) .

7. On March 21, 2008, a pre-application meeting was held at the DES regarding the partial parallel taxiway and ramp expansion project expected to impact 80,770 sq. ft. of wetlands and mitigation was anticipated to be offsite.
 8. On July 17, 2008 the DES received the application to construct a partial parallel taxiway "A" and a taxiway "C" along with reconstruction of the aircraft ramp.
 9. On August 8, 2008 the DES sent a Notice of Administrative Completeness after receipt of information on August 7, 2008.
 10. On Sept. 5, 2008, the DES staff conducted a field inspection of the project area and found the reconstruction of taxiway B already occurred including a new 36 in. culvert and rip rap outlet extending into a wetland and the filling of the isolated wetland (for taxiway "C")
- There were no erosion controls or wetland flagging found during the site inspection.
- The wetland at the westerly end of the project was found to be drier and less diverse in vegetative composition than the remainder of the wetlands proposed to be impacted. Inspection found conflicting information in the file requiring clarification prior to permit issuance.
11. On October 1, 2008 the DES requested more information regarding the current rules, clarification of conflicting information and noting that an inspection found that some the proposed work had already begun without a permit.
 12. On October 20, 2008 the DES received information from the NH Fish and Game Dept. that the project was not expected to impact the two species noted.
 13. On November 24, 2008, the DES received a response to the request for more information including a set of plans, a revised narrative, an assessment of the proposed mitigation parcel, its costs and that any remaining monies would be placed in the Aquatic Resource Compensatory Mitigation Fund.
 14. On Dec. 22, 2008 the DES requested more information regarding the most recent plan set including a stamped plan by a wetland scientist is still required and clarification of the mitigation south of taxiway "C".
 15. On Dec. 31, 2008 the DES received a letter of response dated Dec. 30, 2008 and a set of plans revised on 11/29/08.
 16. The letter of response clarified that there is no wetland mitigation proposed southerly of taxiway C and is reflected in note #2 on sheet C-2.
 17. This project will eliminate or reduce the need for back taxiing resulting in a benefit to public safety.
 18. The applicant has reviewed on-site options for mitigation and the department has determined that the off site 18.5 acre parcel for conservation along with the payment to the Aquatic Resource Mitigation (ARM) Fund is acceptable and will meet the requirements of Env-Wt 800.
 19. The payment calculated for the proposed wetland loss is approximately \$197,892.30 and the acquisition costs of the conservation parcel is estimated to be \$118,000.
 20. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
 21. The payment into the ARM fund shall be deposited in the DES fund for the Connecticut River, Johns River to Waits River watershed per RSA 482-A:29.
 22. DES Staff finds that this project will not have a significant impact on these palustrine resources and are not at areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1. Therefore, a public hearing is not required.

2008-01941 MOUNTAIN VIEW YACHT CLUB
GILFORD Gunstock River / Lake Winnepesaukee

Requested Action:

Dredge 7673 cubic yards from 24680 sq ft of man made channel and sedimentation basin on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com submitted comments with concerns about siltation controls and no new construction

APPROVE PERMIT:

Dredge 7673 cubic yards from 24680 sq ft of man made channel and sedimentation basin on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Steven J Smith Associates dated January 22, 2009, as received by DES on January 27, 2009.

2. Dredge area shall be regraded to original contours following completion of work.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Dredge shall not exceed dredge depth as originally approved under DES permit 1996-00458.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(g), removal of more than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project during the summer of 2008. Field inspection determined need for the proposed dredge.
6. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of Lake Winnepesaukee, as identified under RSA 482-A:1.

-Send to Governor and Executive Council-

2008-02082 TARRYTOWN REAL ESTATE HOLDINGS, RICHARD ELWELL
LONDONDERRY Unnamed Wetland

Requested Action:

Dredge and fill a total of 36,820 sq. ft. of low value palustrine scrub-shrub and emergent (wet meadow) wetlands for the construction a medical office facility with appurtenant parking, drainage and stormwater management structures.

Compensatory mitigation will be provided by a 36-acre parcel of undeveloped land to be placed in a Conservation Easement to be held by the Town of Londonderry in perpetuity.

Conservation Commission/Staff Comments:

The Londonderry Conservation Commission voted to recommend approval of the application "subject to the completion of the sale of the Colby-Litchfield property "(36 acre mitigation parcel).

Inspection Date: 10/20/2008 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 36,820 sq. ft. of low value palustrine scrub-shrub and emergent (wet meadow) wetlands for the construction a medical office facility with appurtenant parking, drainage and stormwater management structures.

Compensatory mitigation will be provided by a 36-acre parcel of undeveloped land to be placed in a Conservation Easement to be held by the Town Of Londonderry in perpetuity.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc. dated June 2008 (last revised 9/23/08), as received by DES on September 25, 2008.

2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
5. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

COMPENSATORY WETLANDS MITIGATION:

1. This permit is contingent upon the execution of a conservation easement on 36.0 acres as depicted on plans received November 19, 2008.
2. The conservation easement to be placed on the preservation area shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the Rockingham County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on October 20, 2008. Field inspection found this site to be relatively low value scrub-shrub / wet meadow wetlands in a highly developed setting relative to other development and roadways. The site is directly adjacent to the highly traveled NH Route 102.
6. USEPA has determined that this project, with the proposed mitigation, qualifies for a NH State Programmatic General Permit.

MINOR IMPACT PROJECT

2005-01868 MARK A FECTEAU REV TRUST, DIANE F RICHARD REV TRUS
ALTON Lake Winnepesaukee

Requested Action:

Applicant requests amendment to relocate seasonal docking structure and reduce it to a 3 slip structure.

Inspection Date: 10/24/2005 by Chris T Brison

APPROVE AMENDMENT:

Amend permit to read: Construct a seasonal "U-shaped" docking facility consisting of two 6 ft x 40 ft piers connected by a 4 ft x 12 ft walkway, accessed by 6 ft wide stairs on 412 ft of frontage in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans by Winnepesaukee Marine Construction, as received by the Department on January 29, 2009.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl, particularly loons, breeding and nesting areas shall be avoided.
5. The seasonal piers shall be removed from the lake for five months during the non-boating season.
6. No portion of the docking structure shall extend more than 40 ft from the shoreline at full lake elevation.
7. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
8. All activity on this property shall be conducted in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 boat slip docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on October 24, 2005, the inspection determined that the site does not meet the requirements for a permanent docking facility as originally proposed.
6. The applicant has an average of 412 feet of shoreline frontage along Lake Winnepesaukee.
7. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
8. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2008-02623 ZECHEL, M
RYE Unnamed Wetland

Requested Action:

Perform construction activities and/or otherwise alter terrain within 17,360 sq. ft. of previously developed upland tidal buffer zone for the redevelopment of a former restaurant facility with a paved parking lot to 8 residential units on a 2.81 acre parcel of land having 461 linear feet of shoreline frontage on Rye Harbor.

Conservation Commission/Staff Comments:

No report or comments were received from the Rye Conservation Commission on this application.

Inspection Date: 09/10/2008 by Frank D Richardson

APPROVE PERMIT:

Perform construction activities and/or otherwise alter terrain within 17,360 sq. ft. of previously developed upland tidal buffer zone for the redevelopment of a former restaurant facility with a paved parking lot to 8 residential units on a 2.81 acre parcel of land having 461 linear feet of shoreline frontage on Rye Harbor.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated November 21, 2008, as received by DES on December 01, 2008 and revised sheet WP-1 January 08, 2009 received by DES on February 03, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Alteration of Terrain Program.
5. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a)&(b).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on September 10, 2008. Field inspection of site of former Saunders Restaurant proposed to be redeveloped for residential units with Darlene Forst, Supervisor of DES Shoreland section and engineer found the proposed project reasonable within the requirements for the Wetlands jurisdiction within the previously developed upland TBZ as well as CSPA jurisdiction.
6. National Marine Fisheries Service finds this project eligible as proposed for the NH SPGP.

2008-02624 BARNSTEAD, TOWN OF
BARNSTEAD Little River

Requested Action:

Dredge and fill a total of 2,859 sq. ft. (approximately 150 linear ft.) of perennial stream bank and stream (1,070 sq. ft. temporary impact and 1,786 permanent impact) to reconstruct the Welch Road bridge, including replacement abutments; wingwalls; and rip rap toe protection.

APPROVE PERMIT:

Dredge and fill a total of 2,859 sq. ft. (approximately 150 linear ft.) of perennial stream bank and stream (1,070 sq. ft. temporary impact and 1,786 permanent impact) to reconstruct the Welch Road bridge, including replacement abutments; wingwalls; and rip rap toe protection.

With Conditions:

1. All work shall be in accordance with plans by McFarland Johnson dated November 2008, as received by DES on 12/01/2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that disturb less than 200 linear ft. of a perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing bridge has been closed due to damage sustained during the April 2007 flooding which did significant damage to the stability of the abutments.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant is proposing to repair the bridge in essentially the same footprint, with appropriate upgrades to current standards, such as wingwalls.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau.
5. The Barnstead Conservation Commission did not report.
5. DES Staff conducted a field inspection of the proposed project on [date]. Field inspection determined ...

Requested Action:

Impact a total of 402 sq. ft. at the high tide mark and previously developed upland tidal buffer zone for work associated with the replacement of a deteriorated 40 linear foot seawall which is loosing backfill including the addition of 116 sq. ft. of stone rip-rap amour to stabilize a section of shoreline on this property having 449 linear feet of shoreline frontage on the Piscataqua River.

Conservation Commission/Staff Comments:

"... the [New Castle] Conservation Commission unanimously recommended approval of the above application [2008-02625] at its December 2, 2008, meeting."

Inspection Date: 03/27/2008 by Frank D Richardson

APPROVE PERMIT:

Impact a total of 402 sq. ft. at the high tide mark and previously developed upland tidal buffer zone for work associated with the replacement of a deteriorated 40 linear foot seawall which is loosing backfill including the addition of 116 sq. ft. of stone rip-rap amour to stabilize a section of shoreline on this property having 449 linear feet of shoreline frontage on the Piscataqua River.

With Conditions:

1. All work shall be in accordance with plans by Waterfront Engineers, LLC dated Nov. 3, 2008, as received by DES on December 01, 2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during periods of low tide.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 27, 2008. FDR inspected site with Tony Saracusa of the PYC and found maintenance repairs necessary to stabilize eroded and undermined rip-rap and seawall (retaining wall) which is loosing backfill into the intertidal zone. Waterfront Engineers (Duncan Mellor) will submit appl & plans.
6. National Marine Fisheries Service found this project eligible as proposed for the NH SPGP.

2008-02796 VICKERY, REBECCA COFFIN
SUGAR HILL Unnamed Stream

Requested Action:

Proposal to dredge and fill 985 sq. ft. of wetland and associated intermittent stream for construction of an access drive to 3-lot subdivision. Work in wetlands consists of one wetlands crossing including an intermittent stream crossing with a 15" diameter by 36' length HDPE culvert and associated filling and grading.

APPROVE PERMIT:

Dredge and fill 670 sq. ft. of wetland and 60 linear feet of associated intermittent stream for construction of an access drive to 3-lot subdivision. Work in wetlands consists of one wetlands crossing including an intermittent stream crossing with a 15" diameter by 36' length HDPE culvert and associated filling and grading.

With Conditions:

1. All work shall be in accordance with the plans by Horizons Engineering, LLC as follows: Existing Conditions (sheet 2 of 6) dated September 2008 as received by DES December 26, 2008; Overall Concept Plan (sheet 3 of 6) dated September 2008 as received by DES December 26, 2008; Road Grading Plan and Profile (sheet 4 of 6) revision dated February 2009 as received by DES February 4, 2009; Miscellaneous Details (sheet 5 of 6) dated September 2008 as received by DES January 29, 2009; Erosion Control Notes and Details (sheet 6 of 6) dated September 2008 as received by DES January 29, 2009.
2. Work shall be done during periods of non-flow.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Culverts shall be laid at original grade.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided plans that meet the requirements of Env-Wt 304.09 (a).
6. In accordance with Env-Wt 301.01 (g) the stamp of a certified wetland scientist was provided on plans by Horizons Engineering, LLC: Existing Conditions (sheet 2 of 6) dated September 2008 as received by DES December 26.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Carroll Conservation Commission.

MINIMUM IMPACT PROJECT

2007-02869 YEATON, ETTA & JOYCE
EPSOM Griggin Brook

Requested Action:

Dredge and fill 11,785 square feet and rip rap 330 linear feet along a 380 foot reach of Griffin Brook to reestablish a stream channel and flood plain within the existing agricultural field. Further plant and fence off 43,442 square feet of the existing agricultural field, to keep existing livestock from disturbing the area.

APPROVE PERMIT:

Dredge and fill 11,785 square feet and rip rap 330 linear feet along a 380 foot reach of Griffin Brook to reestablish a stream channel and flood plain within the existing agricultural field. Further plant and fence off 43,442 square feet of the existing agricultural field, to keep existing livestock from disturbing the area.

With Conditions:

1. All work shall be in accordance with plan sheet 2 of 5 by NRCS dated October 2007, as received by the Department on September 29, 2008 and sheets 1, 3, and 5 of 5 dated October 2007, as received by the Department on January 30, 2009.
2. This permit is contingent upon the buffering and planting of 43,442 square feet of wetlands in accordance with the approved plans received September 29, 2008.
3. The applicant shall plant the flood plain area and the riparian buffer area in accordance with the proposed planting plan and narrative by NRCS as received January 30, 2009.
4. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the flood plain restoration areas are constructed in accordance with the plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
7. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
8. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. No equipment shall enter the water.
12. All work shall be done from the top of the bank.
13. If even at low flow work areas are located within surface waters, a cofferdam should be constructed to isolate the work area from the surface waters.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

15. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

16. No work within the confined area shall proceed until the cofferdams are fully effective, and water flow is controlled.

17. Temporary cofferdams shall be entirely removed immediately following construction.

18. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

20. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

21. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the flood plain restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.

22. Flood plain restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t) Restoration of altered or degraded wetlands provided the project:(1) Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resources Conservation Service, or the US Fish and Wildlife Service;(2) Shall not be used to perform restoration in cases where the applicant is subject to a removal or restoration order;(3) Is not located in or adjacent to prime wetlands; and(4) Does not meet the criteria of Env-Wt 303.02(k).

2. The applicant has attempted to stabilize this stream previously and in 2002 received a permit to dredge this stream, 2002-00394.

3. The stream channel is filled with sediment deposited from large storm events.

4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

7. The applicant has agreed to devote a section of the existing agricultural field to flood plain and riparian buffer, that will have no access for livestock.

8. The proposal will incorporate an appropriate livestock crossing within the stream channel.

9. The work is being designed and overseen by the US Department of Agriculture, Natural Resource Conservation Service.

2008-01642 **LOCKE, CHARLES**
LANCASTER **Unnamed Wetland**

Requested Action:

Proposal to retain 910 sq. ft. of wetlands impacts and an existing 15 in. x 30 ft. culvert with associated fill and stone headwalls for access to a proposed 8-lot residential subdivision.

APPROVE AFTER THE FACT:

After-the-fact approval to retain 910 sq. ft. of wetlands impacts and an existing 15 in. x 30 ft. culvert with associated fill and stone headwalls for access to a proposed 8-lot residential subdivision.

With Conditions:

1. All work shall be in accordance with plans by Colin F. Sutherland revision dated September 2007 (with revised wetlands delineation through November 2008 per narratives by Lobdell Associates Inc.), as received by DES on January 23, 2009 and narratives by Lobdell Associates Inc., as received by DES on August 15, 2008 and narratives dated January 20, 2008, as received by DES on January 23, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Coos County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The final submitted plans depict that proposed lot "3" located along McGary Hill Road and Pleasant Valley Road has very limited uplands and appears not to have any uplands for development, septic or for access.
6. DES contacted the agent/surveyor on February 18, 2009 regarding this matter and was informed that the applicant is aware of the lack of uplands on the lot and suspected that the lot would be purchased by one of the adjacent lot owners and would not be used for building and/or would be maintained in its existing state as an agricultural field.
7. The agent informed DES that they do not wish to re-configure the lots.
8. The approval is conditioned that there shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
9. The narratives provided with the application indicates that no new work is proposed for the project and if further upgrades to the subdivision access road crossing are needed further permitting will be requested.
10. Finding No. 8 shall not apply to the approved subdivision access road crossing as long as it is within the right-of-way of the currently proposed Bone Brook Lane.

Requested Action:

Propose to replace and repair existing rip-rap area of 48 sq. ft. on Mill Brook at the corner of Covered Bridge Road.

APPROVE PERMIT:

Replace and repair existing rip-rap area of 48 sq. ft. on Mill Brook at the corner of Covered Bridge Road.

With Conditions:

1. All work shall be in accordance with the plans by Tom Dubey revised February 10, 2009 as received by DES February 11, 2009.
2. Work shall be done during low flow.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. All work will be within the Town's right of way.
3. This project is a replacement in kind with no change in location, configuration, construction type or dimension of the existing rip rap.
4. The existing rip rap was permitted in wetlands file D-972.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, or the Natural Heritage Bureau.

2009-00097 PAPROCKI, DAVID
CANDIA Unnamed Wetland

Requested Action:

Fill 2,984 square feet of limited function forested wetland for access and lot development to construct a single-family residential dwelling.

Conservation Commission/Staff Comments:

The Candia Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Fill 2,984 square feet of limited function forested wetland for access and lot development to construct a single-family residential dwelling.

With Conditions:

1. All work shall be in accordance with plans by ECM, Inc. dated October 8, 2008, as received by DES on January, 22, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during seasonal low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. There shall be no further alteration of wetlands for lot development, for septic setback, or for any other construction related activities.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. This particular lot had been permitted by NH DES Wetlands Bureau on November 27, 1998 under Wetland and Non-site Specific Permit 1998-01899 (the "Permit") to dredge and fill 7,038 sq. ft. of palustrine forested wetland areas to provide road access to an eight lot subdivision on a 26-acre parcel.
3. Project specific condition number 3 of the Permit stated, " There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback."
4. The applicant is seeking a waiver of condition no. 3 of the Permit as the applicant was unaware that the wetlands were omitted from the previous delineation of their property.
5. Further review of the site by the applicant's NH Certified Wetland Scientist (the "CWS") found that a finger wetland on the proposed lot had been omitted from the plans of the aforementioned permit; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The wetlands on the lot have been compromised by the construction of the roadway through the subdivision. As a result, this wetland offers very limited functions and is low in value; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
8. DES hereby waives project specific condition no. 3 of the Permit as the applicant demonstrated that the impacts are compliant with Env-Wt 302.03.

FORESTRY NOTIFICATION

2009-00251 PARSONS, PRISCILIA
EFFINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Effingham Tax Map 405, Lot# 75

2009-00252 FARRELL, CHARLES
WOLFEBORO Unnamed Stream

COMPLETE NOTIFICATION:
Wolfeboro Tax Map 58, Lot#2

2009-00253 WITTERN, HILDEGARD
WHITEFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Whitefield Tax Map 249, Lot# 6

2009-00254 PERRY STREAM LAND & TIMBER CO., INC.
PITTSBURG Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Tax Map/Lot# C3, C5, D4, D5, D6 / 53

2009-00255 DRED, NH
FRANKLIN Unnamed Stream

COMPLETE NOTIFICATION:
Franklin Tax Map 26, Lot# 403

2009-00273 HOUSTON, GLEN
BATH Unnamed Stream

COMPLETE NOTIFICATION:
Bath Tax Map 17, Lot# 66

2009-00280 SIMONDS, DIANA
EATON Unnamed Stream

COMPLETE NOTIFICATION:
Eaton Tax Map R7, Lot# 22

2009-00281 CZEPYHA, CHESTER
MILTON MILLS Unnamed Stream

COMPLETE NOTIFICATION:
Milton Mills Tax Map 1, Lot# 3

2009-00282 NH FISH & GAME DEPARTMENT
GREENFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Greenfield Tax Map R3, Lot# 1

EXPEDITED MINIMUM

2009-00087 ST PAULS SCHOOL
CONCORD Turkey River

Requested Action:

Temporarily impact a total of 20 square feet along the top of the bank of the Turkey River for installation of a gas line.

APPROVE PERMIT:

Temporarily impact a total of 20 square feet along the top of the bank of the Turkey River for installation of a gas line.

With Conditions:

1. All work shall be in accordance with plans sheets C1 and C2 by CLD Engineering dated December 2008, as received by the Department on February 12, 2009.
2. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining the Shoreland Permit that is required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
3. No work shall occur until the applicant has obtained a Shoreland Permit in accordance with RSA 483-B.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. No equipment shall enter the water.
8. All work shall be done from the top of the bank.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1); Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The items supplied in accordance with RSA 483-B Comprehensive Shoreland Protection Act(CSPA), will be further reviewed under the Shoreland permitting requirements and issuance of this wetland permit does not imply approval under the CSPA.

2009-00148 HUCKINS, BERTHA
STRAFFORD Unnamed Wetland

Requested Action:

Dredge and fill 1,250 sq. ft. of wetlands to install twin 15" x 40' culverts for construction of a driveway crossing to a single family house lot.

APPROVE PERMIT:

Dredge and fill 1,250 sq. ft. of wetlands to install twin 15" x 40' culverts for construction of a driveway crossing to a single family house lot.

With Conditions:

1. All work shall be in accordance with plans by MSC Inc. dated 1/16/2009, as received by DES on 1/30/2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert and associated fill to permit access to a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant must cross wetlands at some point on the property to access buildable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. No species of concern were reported by the NH Natural Heritage Inventory as occurring in the project vicinity.
5. The Strafford Conservation Commission signed the expedited application.

GOLD DREDGE

2009-00256 FRENETTE, SHARON
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2009-00257 FRENETTE, ARTHUR
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Con Comm

2009-00288 BLISH, KEITH
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Con Comm

2009-00290 BLISH, CAROL
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Con Comm

2009-00291 TAMI, MICHAEL
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Con Comm

2009-00292 SICELY, JOSEPH
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Con Comm

LAKES-SEASONAL DOCK NOTIF

2009-00140 AMBROSE, EDWARD
PITTSBURG First Connecticut Lake

COMPLETE NOTIFICATION:

Pittsburg, NH Tax Map C6 Lot 363

First Connecticut Lake

PERMIT BY NOTIFICATION

2008-02032 BARNES, STEPHANIE
EFFINGHAM Unnamed Stream

Requested Action:

Install a culverts on an existing old logging and to improve drainge flow and fill in deep ruts with loam.

PBN DISQUALIFIED:

Install a culverts on an existing old logging and to improve drainge flow and fill in deep ruts with loam.

With Findings:

1. A Request For More Information letter was sent to the applicant on 10/3/2008, requesting the applicant to provide a response from the NH Natural Heritage Bureau relative to the project, proof of abutter notification, and a plan with a scale, wetlands delineation, erosion siltation control and a construction sequence, pursuant to Env-Wt 506.03.
2. The 10/3/2008 DES RFMI letter stated that the information requested therein must be received within 20 days of the date of the letter or the permit by notification would be disqualified, pursuant to Env-Wt 506.02(g).
3. No response to the RFMI letter has ever been received from the applicant, therefore the Permit by Notification is disqualified.

2009-00225 SCHNEIDERHEINZE, ROBERT
BEDFORD Unnamed Wetland

Requested Action:

Proposal to impact 348 sq. ft. of wetlands for construction of a driveway to one lot of a two lot residential subdivision.

PBN DISQUALIFIED:

Disqualify permit by notification ("PBN") to impact 348 sq. ft. of wetlands for construction of a driveway to one lot of a two lot residential subdivision.

With Findings:

1. The permit by notification("PBN") was disqualified because it is for access to one lot of a two lot residential subdivision and does not qualify for the PBN process per Administrative Rule Env-Wt 506.01.
2. Administrative Rule Env-Wt 506.01(a)states the following:
 - (a) The following projects shall qualify for the permit by notification process:
 - (8) The installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial, recreational uses that meets the criteria in Env-Wt 303.04(z);
3. Administrative Rule Env-Wt 303.04(z)states:
 - (z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses, provided:
 - (1) The total jurisdictional impact does not exceed 3,000 square feet;
 - (2) The roadway width at the crossing shall not exceed 20 feet;
 - (3) The fill width, measured at toe of roadway side slopes, shall be minimized, for example, by steepening the sideslopes and constructing walls, and not exceed 50 feet;
 - (4) Fill for any single wetland crossing shall not exceed 60 feet in length, measured along the centerline of the proposed access way; and
 - (5) Such projects shall be limited to crossings that:
 - a. Do not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, or undisturbed tidal buffer zone;
 - b. Are not located in or adjacent to prime wetlands, as defined by Env-Wt 701.02 through Env-Wt 701.04;
 - c. Do not meet the criteria of Env-Wt 303.02(k); and
 - d. Cross stream channels less than 10 feet wide;
4. Impacts are limited to an individual building lot that is a lot of record. The subdivision of property does not qualify for PBN, because impacts must address the need for the impact [Env-Wt 302.01(b)] document the least impacting alternative [Env-Wt 302.03] and meet the specific requirements of Administrative Rule Env-Wt 304.09.

CSPA PERMIT

2009-00105 GATEWAY HOMES LLC
NEW CASTLE Lavenger Creek

Requested Action:

Impact 7,200 sq ft for the purpose of constructing a single family dwelling with 2 decks, an attached garage, a driveway and a subsurface storm water control system.

APPROVE PERMIT:

Impact 7,200 sq ft for the purpose of constructing a single family dwelling with 2 decks, an attached garage, a driveway and a subsurface storm water control system.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated December 2008 and received by the Department of Environmental Services ("DES") on January 19, 2009.
2. No more than 29.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation within the area between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. According to RSA 483-B:9, V, (g),(2) if the total area of a lot within the protected shoreland is comprised of more than 20% impervious surfaces then a storm water management plan must be submitted and any 50'X 50' segment of the waterfront buffer that does not meet the minimum 50 point standard as prescribed in RSA 483-B:9, V, (a), (2), (D), must be replant to the minimum standards.
2. The project as proposed states that the property at 89 Spring Hill Road, in New Castle NH will have 29.9% of the lot within the protected shoreland being comprised of impervious surfaces upon the completion of the project.
3. The submitted plan shows that the aforementioned property does not contain direct shore front property.
4. In light of the geographical location of the project site in relation to the reference line the Department of Environmental Services finds that the submitted storm water management plan will satisfy the requirements of RSA 483-B:9, V, (g),(2), and the applicant will not be required to replant the waterfront buffer.

2009-00130 MARTIN, MICHAEL & DOROTHY
BRADFORD Lake Massasacum

Requested Action:

Impact 1,696 sq ft for the purpose of constructing a single family dwelling, a deck, a 5 foot wide path to the shoreline, a tool shed and installing a septic system.

APPROVE PERMIT:

Impact 1,696 sq ft for the purpose of constructing a single family dwelling, a deck, a 5 foot wide path to the shoreline, a tool shed and installing a septic system.

With Conditions:

1. All work shall be in accordance with plans by Bristol, Sweet and Associates, Inc. dated January 22, 2009 and received by the Department of Environmental Services ("DES") on January 27, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
4. The proposed walkway to the water body, shall be constructed in a manner that will not concentrate storm water runoff or contribute to erosion (ref RSA 483-B:9, V (a) (2)(D)viii)
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No more than 9.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 5,380 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,668 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00154 DIXON, DOUGLAS
MANCHESTER Merrimack River

Requested Action:

Impact 483 sq ft for the purpose of constructing a drainage system in Stark Way to eliminate a drainage ditch that has become a maintenance and liability concern.

APPROVE PERMIT:

Impact 483 sq ft for the purpose of constructing a drainage system in Stark Way to eliminate a drainage ditch that has become a maintenance and liability concern.

With Conditions:

1. All work shall be in accordance with plans by the City of Manchester Department of Highways Engineering Division dated January 2009 and received by the Department of Environmental Services ("DES") on January 28, 2009.
2. Any impacts associated with the completion of the proposed project will require a Wetland Permit as per RSA 482-A.

3. No more than 42% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. There shall be no impacts to native vegetation associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00159 SWEENEY, MICHAEL & ELIZABETH
MEREDITH Lake Winnepesaukee

Requested Action:

Impact 1,725 sq ft for the purpose of constructing a foundation under an existing single family dwelling, with no expansion of existing footprint.

APPROVE PERMIT:

Impact 1,725 sq ft for the purpose of constructing a foundation under an existing single family dwelling, with no expansion of existing footprint.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated January 5, 2009 and received by the Department of Environmental Services ("DES") on January 28, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. No more than 26% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. The project as proposed will leave approximately 4,740 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,612.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00183 PSNH
MANCHESTER Merrimack River

Requested Action:

Impact 1,800 sq ft for the purpose of excavating
the area around a substation to improve the substations grounding grid.

APPROVE PERMIT:

Impact 1,800 sq ft for the purpose of excavating
the area around a substation to improve the substations grounding grid.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated November 11, 2003 and received by the Department of Environmental Services ("DES") on February 4, 2009.
2. No more than 34.67% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
5. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00194 NASWA MOTOR INN INC
LACONIA Lake Winnepesaukee

Requested Action:

Impact 6,866 sq ft for the purpose of replacing the foundation of a commercial building.

APPROVE PERMIT:

Impact 6,866 sq ft for the purpose of replacing the foundation of a commercial building.

With Conditions:

1. All work shall be in accordance with plans by J. Kevin Hayes dated and received by the Department of Environmental Services ("DES") on February 4, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands and areas to remain unaltered.
3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No more than 68% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.